

**THE ROSEN LAW FIRM, P.A.**

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Lead Counsel for Plaintiffs

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

JOSEPH PUDDU, MARK GHITIS, VALERY  
BURLAK, and ADAM BUTTER,

Plaintiff,

vs.

6D GLOBAL TECHNOLOGIES, INC., NYGG  
(ASIA), LTD., BENJAMIN TIANBING WEI A/K/A  
BENJAMIN WEY, TEJUNE KANG, MARK  
SZYNKOWSKI, TERRY MCEWEN, AND NYG  
CAPITAL LLC D/B/A NEW YORK GLOBAL  
GROUP,

Defendants.

Case No.: 15-cv-8061-AJN

**NOTICE OF MOTION AND MOTION FOR  
ENTRY OF ORDER PRELIMINARILY  
APPROVING SETTLEMENT,  
PRELIMINARILY CERTIFYING  
SETTLEMENT CLASS, AND  
ESTABLISHING NOTICE PROCEDURES**

PLEASE TAKE NOTICE that pursuant to Federal Rule of Civil Procedure 23(e), Lead Plaintiffs Joseph Puddu and Mark Ghitis, and Named Plaintiffs Valery Burlak and Adam Butter (collectively, "Plaintiffs") hereby move this Court, the Honorable Alison J. Nathan, United States District Judge of the United States District Court for the Southern District of New York, Thurgood Marshall United States Courthouse, 40 Foley Square, New York, NY 10007, for entry of an Order (a) preliminarily approving the settlement between Plaintiffs and Defendants Misonix, Inc., Michael A. McManus, Jr., and Richard A. Zaremba; (b) preliminarily certifying a settlement class; (c) approving the notice to the Class of the Proposed Settlement, in substantially the same form as

the Notice of Proposed Settlement of Class Action; and (d) scheduling a final approval hearing for a date at the Court's convenience. A table setting forth the requested schedule of events is on page 14 of the accompanying memorandum of law and set forth below:

<b>Event</b>	<b>Deadline for Compliance</b>
Date for Settlement Hearing.	At least 120 days after the Court preliminarily approves the settlement
Mailing of Notice and Proof of Claim and Release.	No later than sixteen days after the entry of Preliminary Approval Order. (Preliminary Approval Order ¶ 12 (the “Notice Date”))
Publication of Summary Notice.	No later than ten calendar days after Mailing of Notice and Proof of Claim and Release (Preliminary Approval Order ¶ 16)
Deadline for filing Proofs of Claim.	No later than thirty calendar days before the Final Approval Hearing (Preliminary Approval Order ¶ 18(a))
Filing deadline for requests for exclusion.	No later than twenty-one calendar days prior to the Final Settlement Hearing. (Preliminary Approval Order ¶ 20)
Filing deadline for objections.	No later than twenty-one calendar days prior to the Final Settlement Hearing. (Preliminary Approval Order ¶ 24)
Date for Lead Plaintiffs to file and serve papers in support of the Settlement, the Plan of Allocation and for application for attorneys’ fees and reimbursement of expenses.	Twenty-eight calendar days prior to the Final Settlement Hearing. (Preliminary Approval Order ¶ 27)

Dated: October 8, 2019

Respectfully Submitted,

**THE ROSEN LAW FIRM, P.A**

/s/ Jonathan Horne

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*Lead Counsel for Plaintiffs*

**CERTIFICATE OF SERVICE**

I hereby certify that on this, October 8, 2019, a true and correct copy of the foregoing document was served by CM/ECF to the parties registered to the Court's CM/ECF system.

/s/ Jonathan Horne  
Jonathan Horne